

**From:** Brad Nelson  
**To:** Mickey Boles - jmboles  
**Sent:** 11/11/2015 7:52:02 PM  
**Subject:** RE: Refusal to Fill-store 20

Mickey

Please share the best practices regarding refusal to fill prescriptions. The communication from Micah indicates that they are blank refusing to fill prescriptions for a specific prescriber. Understand that this is not a best practice and boards of pharmacy grant professional judgment for individual prescriptions and not for prescribers. The pharmacist may wish to file a complaint with the State Medical board to request an official inquiry into the prescribers prescription writing. RX's must be evaluated on an individual basis and red flags identified. Then the pharmacist can refuse to fill a prescription and report a refusal to fill report in Archer. This location has reported 4 RTF's in 2015 and only 1 from Dr Ure on 11-9-15. This location has not displayed a pattern of an issue with Dr. Ure reporting just 1 refusal does not equate to wanting to refuse all RX's from this prescriber. There would be no evidence to support their claims of RX's for other than legitimate medical reasons for the RX's Dr Ure is writing.

#### **COMPLIANCE RIGHT WAY EVERY DAY REFUSAL TO FILL.**

Pharmacists are granted the ability to exercise their professional judgment and choose to refuse to fill any prescription if they feel the prescription was written for other than a legitimate medical purpose. You and your staff are encouraged to review POMs 203,1311,1316,1317,1319 and 1703. Even after the Pharmacist established that there is a Dr/Patient relationship, the Pharmacist is still allowed to refuse to fill a prescription on an individual prescription basis, no blanket refusals are allowed by the Boards of Pharmacy. Key points:

- When any of the pharmacists on your team decides to not fill a prescription, then the requirements of POM 1703 apply and a refusal to fill or fraudulent activity webform **is required** to be submitted for each refusal.
- Once a pharmacist submits the refusal to fill or fraudulent activity webform, the information is then sent to the practice compliance team.
- If a pharmacist dispenses a prescription and subsequently learns (i.e. from law enforcement, a prescriber, another pharmacy or other sources) that the prescription was forged or altered, the pharmacist **is still required** to fill out the refusal to fill or fraudulent activity webform and follow the steps outlined in POM 1703.
- The documentation of these refusals is to provide details of the incident for the purposes of supporting the Pharmacists in their decision should any complaint be filed by a prescriber or patient with the Medical Board or Board of Pharmacy.

Unfortunately there are many prescribers that write for large quantities of controlled substances, however, this does not mean that you as a professional are required to fill these prescriptions. We encourage and support each Pharmacist in exercising his/her professional judgment, we simply ask that you follow the policies and procedures outlined in the Pharmacy operations manual to protect you and the company from false claims of discrimination from the Prescriber or the patient. We appreciate your concerns and understand the impact to your practice.

If you have any questions or concerns please feel free to contact Health and Wellness Practice Compliance: (479) 204-8014.

**From:** Mickey Boles - jmboles  
**Sent:** Wednesday, November 11, 2015 1:38 PM  
**To:** Brad Nelson  
**Subject:** FW: Refusal to Fill-store 20

PLAINTIFFS TRIAL  
 EXHIBIT

**P-14540\_00001**

Thank You,

**Mickey Boles Health And Wellness Director**  
**Market 412**  
**phones 417-825-3075 Fax 417-781-7486**  
**jmboles@wal-mart.com**

**Walmart**  
**702 Southwest 8th Street**  
**Bentonville, AR 72716**  
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TEAM

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**From:** Micah Charles - mlcharl.s00020  
**Sent:** Wednesday, November 11, 2015 1:28 PM  
**To:** Mickey Boles - jmboles  
**Cc:** Micah Charles - mlcharl.s00020; Karen Williams - kiwilli.s00020; Shannon Strickfaden - sestric.s00020; Julie McMurphy - jamcmur.s00020; Daniel Swanson - drswans.s00888  
**Subject:** Refusal to Fill

Mickey

Going forward we are denying ALL Dr. Ure prescriptions. Here is what I submitted on Archer. Pharmacists, each time we are given a prescription from Dr. Ure we are to deny them due to an inappropriate prescriber/patient relationship and fill out an Archer report. **No prescriptions are to be filled from Dr. John Ure going forward.**

Dr. John Duffy Ure  
DEA: AU2263452  
NPI: 1336116789  
417-644-2788

8768 NE 1174 Private Road, Deepwater, MO 64740

We are experiencing suspicious activity with Dr. Ure. We had similar trouble a year or two ago but then patients quit coming until recently. Dr. Ure is prescribing numerous C-II prescriptions for patients that we do not believe have a medical need for them. Since 09/24/15 we have filled 7 C-II prescriptions from Dr. Ure. (RXs contained from 1 to 6 Rxs on each hard copy.) Each Rx has all required information on it to make a legal fill. However red flags are everywhere. Dr. Ure frequently calls ahead to see what C-IIs we have in stock, always late in the evening. He then writes a prescription and the patient brings it in. From past history it is usually a new patient to us or patients that we know have been fired from other doctors or have a history of abuse. Most either have some sort of Medicaid or pay cash. He often replaces "stolen" narcotic prescriptions for patients that we have no history of seeing and he calls ahead to verify he is doing so and documents this on the hard copy. Three of these seven prescriptions note they are a one time replacement due to theft. Six of the seven prescriptions are for patients brand new to us and do not live in this town. The seventh is for a local patient with a known history of abuse who was recently fired from her previous provider. All patients are very friendly and very cooperative and usually have a story they communicate with us as well. Several times the patients have been talking to Dr. Ure on their cell phones as they come in. Dr. Ure almost always call us also to verify all information and ensure they get the prescriptions. We filled all seven of these prescriptions but since it has become a solid trend I believe there is an inappropriate prescriber/patient relationship. Dr. Ure's office, Lakeside Medical Clinic, has an address at 8768 NE 1174 Private Road in Deepwater, MO. Deepwater, MO has a population of only 425 and I have a hard time believing there is a legitimate doctor office there. In addition to the inappropriate relationship I also suspect he may be operating out of his house. We are going to deny ALL Dr. Ure prescriptions going forward and will fill out a webform each time.

Micah Charles, Pharm.D.  
Pharmacy Manager  
Walmart Pharmacy #20